

respectfully, Motion to the court for rights, justice of (1:21 cr 10045 ADB) no consent to jurisdiction

(Suffolk County)
proceedings

FILED
IN CLERKS OFFICE

(d)
Title 15 USC Section 142
United States District Court

Plaintiff; United States Government

V.

Defendant; Pepo H. El aka Pepo H. Elard (Propria Persona)

Motion for "lack of subject matter jurisdiction" of claim, Title 18 USC Section 9229(1) a "Statutory Action", that violates the Declaratory Judgement Act, an act of Congress pursuant to Article 3 Section 2, requiring "Actual Controversy" of complaint for United States courts, to power of courts action, a complaint.

Title 18 USC Section 9229(1) is also a legislative Statute, out of territorial jurisdiction of the District of Columbia, as stated in Title 18 USC Section 2340(3), the "United States", means; District of Columbia, in the District of Columbia, Home Rules Act; D.C. Code Section 1-203.02, states; "The legislation power of the District of Columbia, shall extend to all rightfull subjects of legislation within the District, consistant with the constitution of the United States, and prouisions of this Act"

This is a "Motion for Dismissal", In accord with, Federal Rules of Criminal Procedure (Title 4) (Rule 12);

(Pleadings and Pretrial Motions) (b) Pretrial Motions;

(1) In General; a party may raise by pretrial motion, any defense, objection, or request, that the court can determine, without a trial on the merits, (Rule 47) applies to pretrial motions.

(2) Motions that may be made at anytime; a motion that the court lacks jurisdiction may be made at any time while case is pending.

In accord with (Title 9) (Rule 47) Motions and supporting affidavits, (d) Affidavits Supporting Motion; affidavits of ment are included as affirmative defense with this motion

Pepo H El
9/22/2021
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The Commonwealth of Massachusetts
On this 22 day of September, 2021
before me, the undersigned notary public, Pepo H Elard
personally appeared, proved to me through
satisfactory evidence of identification, which were
true, to be the person who signed the
preceding or attached document in my presence and who swore or
affirmed to me that the contents of the document are truthful and
accurate to the best of his/her knowledge and belief
Robert J. LaLiberte, Notary Public
My Commission Expires April 10, 2026

